



PATENT
Customer No. 22,852
Attorney Docket No. 09423.0014-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James A. TEAGUE et al.

Application No.: 10/820,050

Filed: April 8, 2004

For: TREATMENT AND REMOVAL
OF OBJECTS IN ANATOMICAL
LUMENS

) Notice of Allowance Dated:
) October 4, 2007
)
) Confirmation No. 7330
)
) Group Art Unit: 3734
)
) Examiner: Michael Mendoza
)

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants received a Notice of Allowability and Notice of Allowance and Fee(s)

Due dated October 4, 2007. The issue fee is being filed herewith.

In the Notice of Allowability, the Examiner provided a statement of reasons for allowance in which the Examiner asserts that "the prior art of record fails to teach or render obvious the overall claimed invention of a medical device comprising . . ."

Applicants do not necessarily agree with the Examiner's apparent assertions concerning what constitutes the "overall claimed invention" or the asserted reasons why the claims patentably distinguish from the prior art. For example, Applicant does not necessarily agree with the Examiner's apparent assertion that the listed features are the only reason the claims are allowable over the prior art. Instead, Applicant submits that

claims 55-78, 80-86, and 88 are patentably distinguishable from the prior art at least because the prior art, either alone or in combination, fails to teach or suggest the recitations therein.

The Examiner's Statement of Reasons for Allowance might be construed to contain characterizations of the claims and the prior art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Examiner's Statement of Reasons for Allowance.

Please grant any extensions of time required to enter these Comments and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 3, 2008

By:


Leslie I. Bookoff
Reg. No. 38,084